

**HOUSE JOURNAL
64TH LEGISLATURE
SEVENTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
April 16, 2015

House Chambers
State Capitol

House convened at 10:00 a.m. Mr. Speaker presiding. Invocation by Representative Staffanson. Pledge of Allegiance to the Flag. Roll Call. All members present, except Representative D. Moore, excused. Quorum present.

BILLS (Welborn, Chair):

4/16/2015

Correctly enrolled: **HB 145, HB 430, HB 472, HB 479, HB 614.**

Transmitted to the Senate: **SB 7, SB 47, SB 100, SB 102, SB 122, SB 136, SB 175, SB 245, SB 284.**

Signed by the Speaker at 4:15 p.m., April 16, 2015: **HB 337, HB 358, HB 373, HB 379, HB 434, HB 448, HB 450, HB 491, HB 503, HB 516, HB 523, HB 525, HB 533, HB 538, HB 542, HB 550, HB 553, HB 554, HB 606.**

Signed by the Chief Clerk of the House at 4:30 p.m., April 16, 2015: **HB 337, HB 358, HB 373, HB 379, HB 434, HB 448, HB 450, HB 491, HB 503, HB 516, HB 523, HB 525, HB 533, HB 538, HB 542, HB 550, HB 553, HB 554.**

Signed by the Chief Clerk of the House at 4:34 p.m., April 16, 2015: **HB 606.**

Signed by the Speaker at 2:50 p.m., April 20, 2015: **HB 60, HB 119, HB 244, HB 374, HB 430.**

Signed by the Chief Clerk of the House at 5:00 p.m., April 20, 2015: **HB 60, HB 119, HB 244, HB 374, HB 430.**

Signed by the President at 4:45 p.m., April 16, 2015: **HB 29, HB 78, HB 180, HB 250, HB 258, HB 284, HB 470, HB 587, HJR 7.**

Representative Ballance rose on a **Point of Personal Privilege**. She stated that she stood on the Floor the previous day in the opening for **HB 2** and stated that she believed that we were all working in good faith to achieve an agreement that made sense and was good for the State of Montana. However, this day, that trust was broken by not honoring the agreement made at the beginning of the session between the Majority and Minority to send all bills over \$25,000 General Fund to Appropriations, a trust was broken.

Representative Noonan rose on a **Point of Personal Privilege**. He stated certain bills were not being treated fairly and trust had been broken. However, he stated he did trust Chair Ballance and other members of the Committee. While both sides may have felt they had been treated unfairly during the process, at this point on Day 77 it was impossible to believe there was going to be enough trust outside the Appropriations Committee in order to send it to the Appropriations Committee.

Representative Cuffe rose on a **Point of Personal Privilege**. He stated it had been implied the Speaker and Minority Leader had manipulated rules and he didn't think anyone rose to their defense. He also stated at this point, it seemed the rules didn't apply or that when a rule was constantly appealed, the rule ceases to exist. Representative Cuffe felt there had been manipulation and maneuvering to the point trust was lost, and that was a sad state of affairs.

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

had ever stood up in their defense but just let it go to the Rules Committee. He also stated that at this point, it seemed the rules did not apply or that when you constantly appeal a rule it's essentially the rule doesn't exist anymore. He felt there had been manipulation and maneuvering to the point that probably nobody trusts anybody and that is a sad state of affairs.

Representative Noland rose on a **Point of Personal Privilege** to share a poem by Red Skelton honoring the Pledge of Allegiance.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 211**
Report No. 001, April 16, 2015

Madam President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 211** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 211** (reference copy -- salmon) be amended as follows:

1. Page 1, line 28.

Strike: "STATE"

Insert: "national"

For the Senate:
D. Brown, Chair
Driscoll
Kary

For the House:
Wagoner, Vice Chair
Miller
Person

FREE CONFERENCE COMMITTEE
on **Senate Bill 261**
Report No. 001, April 16, 2015

Madam President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 261** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 261** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 9.

Following: "REPORTING;"

Insert: "PROVIDING A CONTINGENT FUND TRANSFER AND APPROPRIATION;"

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

2. Page 10.

Following: line 7

Insert: "COORDINATION SECTION. Section 18. Coordination instruction. If both House Bill No. 2 and [this act] are passed and approved, then:

- (1) [sections 14 and 15 of this act] are void;
- (2) the general fund appropriation to the department of natural resources and conservation for the sage grouse conservation fund contained in House Bill No. 2 is void;
- (3) for the biennium beginning July 1, 2015, \$10 million is transferred from the general fund to the sage grouse stewardship account established in [section 7 of this act]; and
- (4) for the biennium beginning July 1, 2015, \$10 million is appropriated from the sage grouse stewardship account established in [section 7 of this act] to the department of natural resources and conservation for the purposes of [this act]. If the United States fish and wildlife service lists the greater sage-grouse (*Centrocercus urophasianus*) as endangered under the Endangered Species Act, 16 U.S.C. 1531, et seq., any unencumbered portion of the appropriation made pursuant to this subsection (4) must revert to the general fund."

Renumber: subsequent section

For the Senate:
Hamlett, Chair
F. Moore
Vincent

For the House:
Lang, Vice Chair
Lynch
Shaw

MESSAGES FROM THE SENATE

Governor's amendments to House bill concurred in and returned to the House: 4/16/2015

HB 145, introduced by Cuffe

House bill concurred in and returned to the House: 4/17/2015

HB 430, introduced by Fitzpatrick

House Amendments not concurred in: 4/17/2015

SB 389, introduced by Hamlett

Governor's amendments to Senate bill concurred in and transmitted to the House for concurrence in the Governor's amendments: 4/16/2015

SB 188, introduced by Vincent

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

MESSAGES FROM THE GOVERNOR

April 15, 2015

The Honorable Austin Knudsen
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 439** sponsored by Representative Redfield and **House Bill 578** sponsored by Representative Lang on April 15, 2015.

These bills were delivered to the Secretary of State's Office today.

I am returning **House Bill 204** sponsored by Representative Hertz with amendments.

Sincerely,

STEVE BULLOCK
Governor

April 16, 2015

The Honorable Austin Knudsen
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Knudsen:

Please be informed that I have signed **House Bill 342** sponsored by Representative B. Bennett and **House Bill 400** sponsored by Representative Custer on April 16, 2015.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 32, introduced by T. Woods, M. Funk, D. Hayman, K. Kelker, K. McCarthy, D. Mortensen,

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

K. Swanson, B. Tschida, S. Webber, referred to Education.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lieser in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 252 - Majority Leader Regier moved consideration of **SB 252** be placed at the bottom of the second reading board. Motion carried.

SB 260 - Majority Leader Regier moved consideration of **SB 260** be placed above **SB 252** on the second reading board. Motion carried.

SB 20 - Representative Lynch moved **SB 20** be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 94

Nays: Ballance, Burnett, Monforton, Tschida, Wittich, Zolnikov.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 193 - Representative Lang moved **SB 193** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner,

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Greef, Hayman, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, MacDonald, Mandeville, Manzella, McCarthy, McConnell, Mehlhoff, Meyers, Moore, Mortensen, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Zolnikov, Mr. Speaker.

Total 74

Nays: B. Brown, Burnett, Doane, Essmann, Glimm, Hagstrom, Harris, Hertz, Hess, Jones, Lamm, Lynch, McClafferty, McKamey, Miller, Monforton, Noland, Noonan, Pinocci, Randall, Tschida, Wagoner, Welborn, White, Wittich, Woods.

Total 26

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 194 - Representative Jacobson moved **SB 194** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Richmond, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 75

Nays: J. Bennett, Brodehl, B. Brown, Burnett, Doane, Essmann, Glimm, Hollandsworth, Jones, Lamm, Manzella, Monforton, Mortensen, Olszewski, Pinocci, Redfield, Regier, Ricci, Salomon, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

SB 308 - Representative Schwaderer moved **SB 308** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Cuffe, Custer, Doane, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, Mandeville, Manzella, McCarthy, McKamey, Mehlhoff, Meyers, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pierson, Pinocci, Pope, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Shaw, Staffanson, Tropila, Tschida, Wagoner, Welborn, White, Williams, Wittich, Zolnikov, Mr. Speaker.
Total 68

Nays: B. Bennett, Z. Brown, Clark, Cook, Court, Curdy, Dudik, Dunwell, Eck, Funk, Hayman, Hunter, Karjala, Kelker, MacDonald, McClafferty, McConnell, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Price, Salomon, Smith, Steenberg, Swanson, Webber, Wilson, Woods.
Total 32

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 312 - Representative Steenberg moved **SB 312** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods, Mr. Speaker.
Total 64

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Doane, Fitzpatrick, Glimm, Harris, Hertz, Jones, Lamm, Laszloffy, Manzella, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov.
Total 35

Excused: None.
Total 0

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Absent or not voting: Lang.

Total 1

SB 326 - Representative Flynn moved **SB 326** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Ellis, McKamey.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 378 - Representative Jacobson moved **SB 378** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Tschida.

Total 1

Excused: None.

Total 0

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Absent or not voting: None.

Total 0

HJR 21 - Representative B. Bennett moved **HJR 21** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: Cook, Fitzpatrick, Lang, Lavin, Monforton, Redfield, Ricci, Tschida, Welborn, Wittich.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 23 - Representative Lamm moved **HJR 23** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dunwell, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McCarthy, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Perry, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Steenberg, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 67

Nays: Z. Brown, Court, Curdy, Dudik, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lynch, MacDonald, McClafferty, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Pierson, Pope, Price, Schreiner, Smith, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 33

Excused: None.

Total 0

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Absent or not voting: None.

Total 0

HJR 24 - Representative Curdy moved **HJR 24** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Moore, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: Burnett, Fiscus, Flynn, Harris, Monforton, Mortensen, Regier, Tschida, Wittich.

Total 9

Excused: None.

Total 0

Absent or not voting: Pinocci.

Total 1

HJR 26 - Representative Pierson moved **HJR 26** be adopted. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, Z. Brown, Clark, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Essmann, Fitzpatrick, Flynn, Funk, Garner, Greef, Hayman, Hertz, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Moore, Mortensen, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Tschida, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 72

Nays: Ballance, J. Bennett, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Ehli, Fiscus, Glimm, Hagstrom, Harris, Hess, Jones, Lamm, Manzella, McKamey, Meyers, Monforton, Noland, Randall, Redfield, Regier, Staffanson, Wagoner, Wittich, Zolnikov.

Total 28

Excused: None.

Total 0

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Absent or not voting: None.

Total 0

HJR 27 - Representative Holmlund moved **HJR 27** be adopted. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Dudik, Hayman.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 264 - Representative White moved **SB 264** be concurred in.

SB 264 - Representative Hertz moved **SB 264**, second reading copy, be amended as follows:

1. Page 1, line 24.

Strike: "7.5%"

Insert: "1%"

2. Page 2, line 1.

Strike: "7%"

Insert: "1%"

3. Page 2, line 5.

Strike: "7%"

Insert: "1%"

4. Page 2, line 7.

Strike: "3.5%"

Insert: "1%"

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

5. Page 2, line 9.

Strike: "2%"

Insert: "1%"

6. Page 4, line 19.

Strike: "7.5%"

Insert: "1%"

7. Page 4, line 25.

Strike: "7%"

Insert: "1%"

8. Page 4, line 29.

Strike: "7%"

Insert: "1%"

9. Page 5, line 1.

Strike: "3.5%"

Insert: "1%"

10. Page 5, line 3.

Strike: "2%"

Insert: "1%"

Amendment adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: B. Bennett, Court, Olsen, Perry, Smith, Williams, Wilson.

Total 7

Excused: None.

Total 0

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Absent or not voting: None.

Total 0

SB 264 - Representative White moved **SB 264**, as amended, be concurred in. Motion carried as follows:

Yeas: B. Bennett, J. Bennett, Berglee, Berry, B. Brown, Z. Brown, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Regier, Ricci, Richmond, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, White, Williams, Wilson, Woods.

Total 68

Nays: Ballance, Brodehl, Burnett, Clark, Cook, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Glimm, Harris, Jones, Lamm, Lang, Mandeville, Manzella, Monforton, Moore, Mortensen, Pinocci, Randall, Redfield, Salomon, Shaw, Staffanson, Tschida, Wagoner, Welborn, Wittich, Zolnikov, Mr. Speaker.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 306 - Representative Laszloffy moved **SB 306** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: B. Brown, Cuffe, Glimm, Olsen.

Total 4

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 309 - Representative Flynn moved **SB 309** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Berry, Hollandsworth, Jones, Lamm, Redfield.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lieser moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 96

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Nays: McCarthy, Mehlhoff, Zolnikov.

Total 3

Excused: None.

Total 0

Absent or not voting: Osmundson.

Total 1

House in Recess

House Reconvened

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lieser in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 375 - Representative Randall moved **SB 375** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jacobson, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McCarthy, McKamey, Miller, Monforton, Mortensen, Noland, Noonan, Olszewski, Osmundson, Person, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schreiner, Schwaderer, Steenberg, Tschida, Wagoner, White, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Berry, B. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ehli, Ellis, Funk, Greef, Hayman, Hill, Hollandsworth, Hunter, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McClafferty, McConnell, Mehlhoff, Meyers, Moore, Olsen, Pease-Lopez, Peppers, Perry, Pierson, Pope, Price, Salomon, Shaw, Smith, Staffanson, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Wittich, Woods.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

SB 380 - Representative Shaw moved **SB 380** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berglee, Berry, B. Brown, Z. Brown, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.

Total 83

Nays: Ballance, J. Bennett, Brodehl, Burnett, Cuffe, Glimm, Jones, Lamm, Lang, Manzella, Noland, Olszewski, Pinocci, Tschida, White, Zolnikov.

Total 16

Excused: None.

Total 0

Absent or not voting: McKamey.

Total 1

SB 386 - Representative Cook moved **SB 386** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Zolnikov, Mr. Speaker.

Total 91

Nays: Brodehl, B. Brown, Manzella, Meyers, Olsen, Pinocci, Regier, Tschida, Woods.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

SB 393 - Representative Lang moved **SB 393** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Miller, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 94

Nays: B. Brown, Essmann, Lamm, McKamey, Monforton, Wittich.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 395 - Representative Berglee moved **SB 395** be concurred in. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Doane, Essmann, Fiscus, Fitzpatrick, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pinocci, Randall, Regier, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.
Total 49

Nays: B. Bennett, Berry, Z. Brown, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Flynn, Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Moore, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Redfield, Ricci, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.
Total 51

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

SB 398 - Representative Lynch moved **SB 398** be concurred in.

SB 398 - Representative Lynch moved **SB 398**, second reading copy, be amended as follows:

1. Page 2, line 11.

Strike: "TOTAL"

Following: "dividend"

Insert: "each fiscal year"

2. Page 2, line 14.

Strike: "OR 10%"

Insert: ". These funds returned to the state must be deposited in the general fund"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 90

Nays: B. Brown, Glimm, Harris, Lang, Mortensen, Olszewski, Schwaderer, Tschida, Wittich, Zolnikov.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 398 - Representative Cook moved **SB 398**, second reading copy, be amended as follows:

1. Title, page 1, line 4.

Following: "PAYMENT"

Insert: "AND ASSET DESIGNATION"

2. Title, page 1, line 6.

Following: "AUDITOR;"

Insert: "NAMING THE STATE FUND BUILDING; CREATING AN EXCEPTION TO BUILDING

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

NAMING CRITERIA;"

Following: "SECTIONS"

Insert: "2-17-807,"

Following: "39-71-2311"

Insert: ", "

3. Page 1.

Following: line 10

Insert: "Section 1. Section 2-17-807, MCA, is amended to read:

"2-17-807. Approval for displays and naming buildings, spaces, and rooms. (1) A state building, space, or room in the capitol complex may not be named after an individual or a bust, plaque, statue, memorial, monument, or art display may not be displayed on a long-term basis in the capitol complex or on the capitol complex grounds unless the building, space, or room name or display is approved by the legislature and complies with this part. The capitol building, including any future additions and expansions, may not be named after any person, as defined in 2-4-102.

(2) (a) Except as provided in subsections (2)(b) through ~~(2)(e)~~ (2)(f), a state building, space, or room in the capitol complex may not be named after an individual or a bust, plaque, statue, memorial, monument, or art display commemorating an individual may not be displayed on a long-term basis in the capitol complex unless the individual has been deceased for at least 10 years.

(b) The statue of Mike and Maureen Mansfield authorized in 2-17-808(1)(d)(iii) and the plaque commemorating President George H. W. Bush authorized in 2-17-808(2)(b)(ii) may continue to be displayed in the capitol complex.

(c) A public building within the capitol complex constructed with private funds after April 17, 2007, or a space or room constructed with private funds after April 17, 2007, in a public building, other than the capitol building, may bear a name designated by the benefactor of the building, space, or room if:

(i) the building, space, or room is to be owned by or used exclusively or primarily by the Montana historical society to store or display artifacts or other property owned by the Montana historical society; and

(ii) the building, space, or room and the designated name are approved by the council and by the board of the historical society, provided for in 2-15-1512.

(d) The classroom building authorized in May 2007 to be built at the Montana law enforcement academy may be named after Karl Ohs, and a plaque and the Lou Peters award commemorating Karl Ohs may be displayed there.

(e) The justice building located at 215 North Sanders in Helena must be named after Joseph P. Mazurek, and a plaque and memorial commemorating him may be displayed on the capitol complex grounds.

(f) The state fund building located at 855 Front Street in Helena must be named the Jimmy and Dolores Keane commemorative workers' safety and medical care facility.

(3) A bust, plaque, statue, memorial, monument, or art display commemorating an event, including a military event, may not be displayed on a long-term basis in the capitol complex until 10 years after the end of the event.

(4) All busts, plaques, statues, memorials, monuments, or art displays authorized, but

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

not installed within 5 years of authorization, must be reauthorized.

(5) The department of administration may review and approve the temporary display of a bust, plaque, statue, memorial, monument, or art display for up to 1 year in the capitol complex or on the capitol complex grounds.""

Renumber: subsequent sections

4. Page 2, line 23.

Strike: "[This act] terminates"

Insert: "[Sections 2 and 3] terminate"

Amendment adopted as follows:

Yeas: Ballance, B. Bennett, Berglee, B. Brown, Z. Brown, Burnett, Cook, Cuffe, Curdy, Doane, Dudik, Ehli, Ellis, Essmann, Fitzpatrick, Funk, Glimm, Hagstrom, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Laszloffy, Lynch, McCarthy, McConnell, McKamey, Miller, Moore, Noland, Noonan, Olsen, Osmundson, Peppers, Perry, Person, Pierson, Randall, Regier, Salomon, Schreiner, Schwaderer, Shaw, Steenberg, Swanson, Tropila, Webber, Welborn, Zolnikov, Mr. Speaker.

Total 51

Nays: J. Bennett, Berry, Brodehl, Clark, Court, Custer, Dunwell, Eck, Fiscus, Flynn, Garner, Greef, Harris, Hayman, Hertz, Hess, Hill, Hunter, Karjala, Kelker, Lamm, Lang, Lavin, Lieser, MacDonald, Mandeville, Manzella, McClafferty, Mehlhoff, Meyers, Monforton, Mortensen, Olszewski, Pease-Lopez, Pinocci, Pope, Price, Redfield, Ricci, Richmond, Smith, Staffanson, Tschida, Wagoner, White, Williams, Wilson, Wittich, Woods.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 398 - Representative Lynch moved **SB 398**, as amended, be concurred in. Motion **failed** as follows:

Yeas: Dudik, Funk, Hill, Jacobson, Karjala, Lynch, McCarthy, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Person, Pierson, Schreiner, Shaw, Steenberg, Swanson, Tropila, Webber, Welborn.

Total 21

Nays: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser,

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

MacDonald, Mandeville, Manzella, McClafferty, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Smith, Staffanson, Tschida, Wagoner, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.
Total 79

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 409 - Representative G. Bennett moved **HB 409** do pass.

SB 409 - Representative Dunwell moved **SB 409**, second reading copy, be amended as follows:

1. Page 4, line 21.

Following: "consideration"

Insert: "long-term stability, public safety,"

2. Page 6, line 25.

Strike: line 25 in its entirety

Renumber: subsequent subsections

3. Page 11, line 28.

Following: "operator"

Insert: "and the department"

4. Page 12, line 22.

Strike: "practicable"

Insert: "available"

Following: "concerns"

Insert: "and taking into primary consideration public safety and long-term stability"

5. Page 16, line 2.

Strike: "operator or permit applicant"

Insert: "department"

6. Page 16, line 3 through line 5.

Strike: "and shall" on line 3 through "department" on line 5

7. Page 16, line 24.

Strike: "operator"

Insert: "department"

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

8. Page 19, line 4.

Strike: "operator"

Insert: "department"

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Perry, Person, Pierson, Pope, Price, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.
Total 40

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.
Total 60

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 409 - Representative G. Bennett moved **SB 409** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Olsen.
Total 1

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 410 - Representative Schwaderer moved **SB 410** be concurred in. Motion carried as follows:

Yeas: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Harris, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 411 - Representative Harris moved **SB 411** be concurred in.

SB 411 - Representative Wagoner moved **SB 411**, second reading copy, be amended as follows:

1. Title, page 1, line 9.

Following: "CENTER;"

Insert: "ESTABLISHING REQUIREMENTS FOR COMMUNITY-BASED RESIDENTIAL FACILITIES; PROVIDING PROTECTIONS FOR MONTANA DEVELOPMENTAL CENTER EMPLOYEES;"

Following: "EXPENDITURES;"

Insert: "TRANSFERRING PROPERTY; PROVIDING APPROPRIATIONS;"

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

2. Title, page 1, line 10.

Strike: "53-20-104,"

Following: "53-20-214,"

Insert: "77-2-302,"

3. Page 1, line 16.

Following: "services."

Insert: "(1)"

Following: "legislature to"

Insert: ": (a)"

4. Page 1, line 17.

Following: "53-20-301"

Strike: ", and to"

Insert: "; (b)"

Following: "center"

Insert: "; and

(c) mitigate the impacts of the closure of the Montana developmental center by providing employees with financial security and training opportunities in recognition of the fact that the center employs nearly 250 people and its closure will cause high unemployment in a small community unable to absorb the impact.

(2)"

5. Page 1, line 19.

Strike: "(1)"

Insert: "(a)"

Renumber: subsequent subsections

6. Page 1, line 20.

Strike: "June 30, 2017"

Insert: "December 31, 2016"

7. Page 1, line 23.

Strike: "and"

8. Page 1, line 24.

Strike: "most"

Insert: "all"

9. Page 1, line 25 through line 26.

Following: "2016"

Strike: ", with" on line 25 through "date" on line 26

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

10. Page 1, line 29.

Following: "services"

Insert: "; and

(d) transfer all real and personal property used for the Montana developmental center to Jefferson County no later than December 31, 2016. In making the transfer, the state:

(i) shall retire all debts, including bonds, related to the property; and

(ii) may not remove or transfer real or personal property used by the Montana developmental center to any other entity"

11. Page 2, line 3.

Strike: "4"

Insert: "5"

12. Page 3.

Following: line 15

Insert: "NEW SECTION. Section 4. Community-based residential facilities -- requirements -- restrictions. (1) In accordance with rules adopted pursuant to [section 3] and with the provisions of this section, the department of public health and human services shall approve a private, community-based facility as a residential facility able to meet the needs of:

(a) a seriously developmentally disabled individual who is committed to a residential facility pursuant to this chapter;

(b) a developmentally disabled person placed by the director of the department of public health and human services in a residential facility pursuant to 46-14-221; or

(c) a developmentally disabled person sentenced pursuant to 46-14-312 and determined by the director of the department of public health and human services to be most appropriately placed in a residential facility.

(2) (a) Before an existing community-based facility may be approved as a residential facility, the facility shall:

(i) notify the department of public health and human services of its interest in being designated as a residential facility; and

(ii) comply with the reporting, inspection, and investigation procedures provided for in 53-20-104 and 53-20-163 for 12 months after the date notification is provided to the department.

(b) The provisions of subsection (2)(a)(ii) do not apply to a new community-based facility not in operation on [the effective date of this act]."

Renumber: subsequent sections

13. Page 3.

Following: line 25

Insert: "NEW SECTION. Section 7. Montana developmental center employee protections. In addition to the protections provided in Title 2, chapter 18, part 12, and 19-2-706, individuals whose employment at the Montana developmental center is terminated as a result of the closure required under [sections 1 through 4] are entitled to:

(1) up to 2 years of state-funded, full-time job training, including but not limited to

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

certification programs, apprenticeship programs, vocational programs, and postsecondary education; and

(2) severance pay equal to 6 months of pay as follows:

(a) the average of the individual's pay rate for the most recent 12 months of employment if the individual has worked at the Montana developmental center for 12 or more months; or

(b) the individual's highest monthly pay rate if the individual has worked at the Montana developmental center for less than 12 months."

14. Page 6, line 28 through page 8, line 1.

Strike: section 8 in its entirety

15. Page 10, line 9.

Strike: "(a)"

16. Page 10, line 12 through line 14.

Strike: subsection (b) in its entirety

17. Page 10, line 24.

Strike: "(a)"

18. Page 10, line 29 through page 11, line 1.

Strike: subsection (b) in its entirety

19. Page 17, line 30 through page 18, line 1.

Strike: "if the" on page 17, line 30 through "center," on page 18, line 1

20. Page 18, line 19.

Strike: "at the Montana developmental center"

21. Page 18, line 22.

Strike: "Montana developmental center"

Insert: "residential facility"

22. Page 19.

Following: line 16

Insert: "**Section 17.** Section 77-2-302, MCA, is amended to read:

"77-2-302. Disposition of former institutions and certain federal land grants. (1)

Notwithstanding any other section in this chapter, any lands, including buildings, that were formerly used as or by a state institution and that are no longer used for institutional purposes may be disposed of in whole or in part on the terms and in the manner that the board, after consultation with the appropriate legislative committee, may determine to be in the state's best interest, subject to The Enabling Act and constitutional restrictions. Disposal of the property may not be finally concluded until 60 days' public notice of the terms of the proposed disposal has been given.

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

(2) Notwithstanding any other section in this chapter, any lands, including buildings, granted to the state by the United States pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9601, et seq., or acquired by the state as remedial action pursuant to 75-10-704, 75-10-711, or 75-10-712 may be disposed of in whole or in part on the terms and in the manner that the board, after consultation with the director of the department of environmental quality, determines to be in the state's best interest.

(3) The department of public health and human services may transfer the real and personal property used for the Montana developmental center as provided in [section 1]."

23. Page 20.

Following: line 18

Insert: "NEW SECTION. **Section 19. Appropriations.** (1) The following amounts are appropriated from the general fund to the department of public health and human services for the biennium beginning July 1, 2015:

(a) \$4.3 million to be used for job training of former Montana developmental center employees as provided in [section 7];

(b) \$7 million for a grant to Jefferson County for economic development activities and to refurbish and retrofit the buildings, grounds, and infrastructure at the Montana developmental center in a manner determined by the county; and

(c) \$3.8 million for a grant to the city of Boulder. The money may be used only to pay off the balance of the city's loan for its wastewater treatment plant.

(2) The department shall grant \$3 million of the \$7 million appropriation provided for in subsection (1)(b) to Jefferson County no later than December 31, 2015, for economic development activities. The remainder of the appropriation must be granted to the county by December 31, 2016."

24. Page 20, line 20.

Strike: "4"

Insert: "5"

25. Page 20, line 22.

Strike: "4"

Insert: "5"

26. Page 21, line 3.

Strike: "6"

Insert: "8"

Amendment **not** adopted as follows:

Yeas: Berry, Z. Brown, Court, Dunwell, Fitzpatrick, Funk, Hill, Kipp III, Lamm, McClafferty, Mehlhoff, Meyers, Moore, Mortensen, Olsen, Pease-Lopez, Perry, Pierson, Pinocci, Price, Randall, Schreiner, Shaw, Tschida, Wagoner, Welborn, White, Woods, Zolnikov.

Total 29

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Nays: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McConnell, McKamey, Miller, Monforton, Noland, Noonan, Olszewski, Osmundson, Peppers, Person, Pope, Redfield, Ricci, Richmond, Salomon, Schwaderer, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Mr. Speaker.
Total 70

Excused: None.
Total 0

Absent or not voting: Regier.
Total 1

SB 411 - Representative Wagoner moved **SB 411**, second reading copy, be amended as follows:

1. Page 1, line 15.

Strike: "intent -- "

2. Page 1, line 16 through line 18.

Strike: "It is" on line 16 through "purpose, the" on line 18

Insert: "The"

Strike: ":", on line 18

Insert: ", "

3. Page 1, line 19.

Strike: "(1)"

4. Page 1, line 20.

Strike: "by June 30, 2017;"

Insert: "."

5. Page 1, line 21 through line 30.

Strike: subsection (2) through subsection (3) in their entirety

6. Page 3, line 2.

Strike: "and"

7. Page 3, line 3.

Following: "center"

Strike: "."

Insert: "; and

(f) recommend dates for closure of the Montana developmental center.

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

(4) The committee shall review available information on best practices for closing institutions and incorporate best practices into its deliberations and its recommendations."

Renumber: subsequent subsections

Amendment **not** adopted as follows:

Yeas: Berry, Z. Brown, Funk, Hess, Hill, Lamm, McKamey, Mehlhoff, Moore, Mortensen, Pinocci, Price, Randall, Regier, Schreiner, Schwaderer, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Woods, Zolnikov.

Total 24

Nays: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, Meyers, Miller, Monforton, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Redfield, Ricci, Richmond, Salomon, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Wittich, Mr. Speaker.

Total 76

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 411 - Representative Miller moved for cloture. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Smith, Staffanson, Steenberg, Swanson, Tschida, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Court, Kipp III, Mehlhoff, Olsen, Shaw, Tropila, Wagoner.

Total 7

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 411 - Representative Harris moved **SB 411** be concurred in. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, Burnett, Cook, Cuffe, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Holmlund, Jones, Karjala, Lang, Laszloffy, Mandeville, Manzella, McCarthy, McConnell, McKamey, Meyers, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Perry, Redfield, Ricci, Richmond, Smith, Staffanson, Steenberg, Wittich, Mr. Speaker.

Total 49

Nays: B. Bennett, Berry, B. Brown, Z. Brown, Clark, Court, Curdy, Ellis, Fitzpatrick, Funk, Hayman, Hess, Hill, Hunter, Jacobson, Kelker, Kipp III, Lamm, Lavin, Lieser, Lynch, MacDonald, McClafferty, Mehlhoff, Miller, Monforton, Moore, Pease-Lopez, Peppers, Person, Pierson, Pinocci, Pope, Price, Randall, Regier, Salomon, Schreiner, Schwaderer, Shaw, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House recessed

House reconvened

Representative Dunwell rose on a **Point of Personal Privilege**. She stated that during discussion on **SB 411**, she felt that negative comments were made about the sponsor and she wanted to say that she knew the sponsor was a person of integrity.

SB 414 - Representative Fitzpatrick moved **SB 414** be concurred in. Motion **failed** as follows:

Yeas: J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Doane, Essmann, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lang, Laszloffy, Lavin, Mandeville, McKamey, Meyers, Osmundson, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Wagoner, Welborn, White, Zolnikov, Mr.

Speaker.

Total 41

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Nays: Ballance, B. Bennett, B. Brown, Z. Brown, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Fiscus, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lieser, Lynch, MacDonald, Manzella, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Schreiner, Smith, Staffanson, Steenberg, Swanson, Tropila, Tschida, Webber, Williams, Wilson, Wittich, Woods.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 260 - Representative Kelker moved **SB 260** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, Berglee, Berry, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Jacobson, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, McConnell, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Peppers, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Wagoner, Welborn, White, Williams, Zolnikov, Mr. Speaker.

Total 68

Nays: J. Bennett, Brodehl, B. Brown, Z. Brown, Eck, Funk, Glimm, Hunter, Jones, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McKamey, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Perry, Person, Pinocci, Schreiner, Swanson, Tropila, Tschida, Webber, Wilson, Wittich, Woods.

Total 32

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 252 - Representative Lamm moved **SB 252** be concurred in. Motion carried as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Mandeville, Manzella, McCarthy, McConnell, McKamey, Mehlhoff, Meyers, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Ricci,

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Steenberg, Wagoner, Welborn, White, Williams, Woods, Zolnikov, Mr. Speaker.

Total 78

Nays: B. Brown, Z. Brown, Dunwell, Funk, Glimm, Lynch, MacDonald, McClafferty, Miller, Monforton, Noonan, Pease-Lopez, Peppers, Perry, Pinocci, Schreiner, Swanson, Tropila, Tschida, Webber, Wilson, Wittich.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lieser moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, Mandeville, Manzella, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Schwaderer, Shaw, Staffanson, Steenberg, Swanson, Tropila, Tschida, Wagoner, Webber, Welborn, White, Williams, Wilson, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Berglee, Eck, Karjala, Perry, Smith.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lieser in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

SB 157 - Representative Cook moved **SB 157** be concurred in.

SB 157 - Representative Hertz moved **SB 157**, second reading copy, be amended as follows:

1. Title, page 1, line 6 through line 8.

Strike: "PROVIDING" on line 6 through "PROPERTY;" on line 8

2. Title, page 1, line 13.

Strike: "15-24-3202, 15-24-3203,"

3. Page 1, line 19 through line 26.

Strike: section 1 in its entirety

Renumber: subsequent sections

4. Page 7, line 22.

Following: "of"

Insert: "percentage of"

5. Page 7, line 25.

Following: "that is the"

Insert: "percentage of"

6. Page 12, line 3.

Following: "~~taxable~~"

Insert: "its taxable"

7. Page 18, line 17.

Strike: "11(2)"

Insert: "10(2)"

8. Page 19, line 8.

Strike: "12"

Insert: "11"

9. Page 19, line 9.

Strike: "13"

Insert: "12"

10. Page 19, line 10.

Strike: "12"

Insert: "11"

Strike: "13"

Insert: "12"

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

11. Page 19, line 12.

Strike: "10"

Insert: "9"

12. Page 19, line 14.

Strike: "10"

Insert: "9"

13. Page 19, line 15.

Strike: "12"

Insert: "11"

Strike: "13"

Insert: "12"

14. Page 19, line 20.

Strike: "10"

Insert: "9"

15. Page 19, line 25.

Strike: "10"

Insert: "9"

16. Page 20, line 4.

Strike: "12"

Insert: "11"

17. Page 20, line 5.

Strike: "13"

Insert: "12"

18. Page 20, line 10.

Strike: "12"

Insert: "11"

Strike: "13"

Insert: "12"

19. Page 20, line 12.

Strike: "12"

Insert: "11"

Strike: "13"

Strike: "12"

20. Page 21, line 29.

Strike: "11"

Insert: "10"

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

21. Page 22, line 10.

Strike: "10"

Insert: "9"

22. Page 22, line 14.

Strike: "12"

Insert: "10"

23. Page 23, line 14.

Strike: "10"

Insert: "9"

24. Page 23, line 25.

Following: "~~(1)(b)~~,"

Insert: "except as provided in subsection (1)(b),"

25. Page 23, line 30.

Following: "~~rate~~."

Insert: "(b) After the first year, the department is not required to mail the notice provided for in subsection (1)(a)(iii) if the change in valuation is the result of an annual incremental change in valuation caused by the phasing in of a reappraisal under 15-7-111."

Renumber: subsequent subsections

26. Page 24, line 5.

Strike: "10"

Insert: "9"

Strike: "13"

Insert: "12"

27. Page 24, line 13.

Strike: "~~(1)(b)~~"

Insert: "~~(1)(c)~~"

28. Page 25, line 6 through line 12.

Strike: "For" on line 6 through "III"

29. Page 25, line 12.

Following: "FOR"

Insert: "class three property described in 15-6-133, class four property described in 15-6-134, and"

30. Page 26, line 6 through line 7.

Strike: "COUNTY TAX APPEAL BOARD"

Insert: "department"

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

31. Page 28, line 16 through line 17.

Strike: "Beginning" on line 16 through "ALL" on line 17

Insert: "All"

32. Page 28, line 18.

Following: "WITHIN"

Insert: "class three, class four, and"

33. Page 28, line 19.

Following: "of"

Insert: "and phase in the value of"

34. Page 28, line 21.

Strike: "AND" through "PROPERTY"

35. Page 28, line 22.

Following: "value"

Insert: "and phased-in value"

36. Page 28, line 23.

Strike: "AND" through "PROPERTY"

37. Page 28, line 24 through line 26.

Strike: "class" on line 24 through the first "OF" on line 26

Insert: "class three, class four, and"

38. Page 28, line 27.

Strike: "FOR" through "PROPERTY"

39. Page 29, line 1.

Following: "~~end of the~~"

Insert: "end of the"

Following: "~~and fourth~~"

Insert: "and fourth"

40. Page 29, line 3 through line 4.

Strike: "report" on line 3 through "class" on line 4

Insert: "sales assessment ratio study of residences to be used to allow the committee to be apprised of the housing market and value trends"

41. Page 29, line 6.

Strike: "classes three; AND"

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Insert: "class three, class"

Following: "four;"

Insert: ", and class ten"

42. Page 29, line 8 through line 10.

Strike: "must" on line 8 through "AND" on line 10

43. Page 29, line 10.

Following: "ALL"

Insert: "class three, class four, and"

44. Page 29, line 12.

Strike: the first "FOR" through "PROPERTY"

45. Page 29, line 14.

Strike: "CLASS TEN PROPERTY"

46. Page 29, line 28 through line 29.

Strike: "in" on line 28 through "VALUES" on line 29

47. Page 35, line 29.

Following: "of"

Insert: "percentage of"

48. Page 39, line 16.

Strike: "2-year"

49. Page 39, line 19.

Following: "~~later~~"

Insert: "or within 30 days of the determination after review, whichever is later"

50. Page 41, line 26.

Strike: "10"

Insert: "9"

Strike: "13"

Insert: "12"

51. Page 42, line 29.

Strike: "12"

Insert: "11"

52. Page 45, line 25 through page 46, line 28.

Strike: section 27 through section 28 in their entirety

Renumber: subsequent sections

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

53. Page 49, line 16.

Following: "~~values~~"

Insert: "without any adjustments as a result of phasing in values"

54. Page 50, line 25 through line 29.

Strike: "(1)" on line 25 through "(2)" on line 29

55. Page 50, line 29.

Strike: "10"

Insert: "9"

56. Page 50, line 29.

Strike: "13"

Insert: "12"

57. Page 50, line 30.

Strike: "10"

Insert: "9"

Strike: "13"

Insert: "12"

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Flynn, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Perry, Pinocci, Randall, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 42

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Olsen, Pease-Lopez, Peppers, Person, Pierson, Pope, Price, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 58

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

SB 157 - Representative Redfield moved **SB 157**, second reading copy, be amended as follows:

1. Page 29, line 23.

Following: line 22

Insert: "(7) The department shall administer the program for reappraisal of all taxable property as provided in this section using the same number of full-time equivalent employees that are employed by the department in fiscal year 2015."

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Flynn, Glimm, Hagstrom, Harris, Hertz, Hess, Holmlund, Jacobson, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 44

Nays: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Funk, Garner, Greef, Hayman, Hill, Hollandsworth, Hunter, Jones, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 56

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 157 - Representative Cook moved **SB 157** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Cuffe, Curdy, Custer, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Lieser, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Noonan, Pease-Lopez, Peppers, Pierson, Pope, Price, Redfield, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 58

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Doane, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Laszloffy, Lavin, Lynch, Manzella, McKamey, Meyers, Monforton, Moore, Mortensen, Noland, Olsen, Olszewski, Osmundson,

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Perry, Person, Pinocci, Randall, Regier, Ricci, Schwaderer, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 171 - Representative Cook moved **SB 171** be concurred in.

SB 171 - Representative Hertz moved **SB 171**, second reading copy, be amended as follows:

1. Title, page 1, line 25.

Following: "APPROPRIATION;"

Insert: "CREATING A TAX CREDIT FOR MATCHING SHOES AND EYEGLASSES;"

2. Title, page 2, line 11.

Following: the first "DATES"

Insert: ", "

Strike: "AND"

Following: the second "DATES"

Insert: ", AND A TERMINATION DATE"

3. Page 10, line 3.

Following: line 2

Insert: "NEW SECTION. Section 12. Save the employee forever credit. (1) There is a credit against the tax imposed by this chapter for purchases of matching shoes and eyeglasses.

(2) The amount of the credit allowed under subsection (1) is equal to 50% of the purchase price and up to:

(a) \$100 if the eyeglasses and shoes were purchased in Montana;

(b) \$200 if the eyeglasses and shoes were purchased and made in Montana;

(c) \$300 if the eyeglasses and shoes were purchased and made in Montana from recycled material.

(3) The taxpayer is entitled to a refund equal to the amount by which the credit exceeds the taxpayer's tax liability.

(4) The eyeglasses for which a credit may be claimed under this section are not required to contain corrective lenses."

Renumber: subsequent sections

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

4. Page 84, line 29.

Following: line 28

Insert: "(3) [Section 12] is intended to be codified as an integral part of Title 15, chapter 30, and the provisions of Title 15, chapter 30 apply to [section 12]."

5. Page 97, line 17.

Strike: "11" through "81"

Insert: "12, 26, 27, 50, 72, and 80 through 82"

6. Page 97, line 22.

Strike: "11" through "49"

Insert: "12, 26, 27, and 50"

7. Page 97, line 24.

Following: line 23

Insert: "NEW SECTION. Section 83. Termination. [Section 12] terminates December 31, 2018."

Amendment **not** adopted as follows:

Yeas: B. Brown, Harris, Hertz, Jones, Lamm, Mandeville, Manzella, McKamey, Meyers, Mortensen, Noland, Pinocci, Ricci, Schwaderer, Staffanson, Tschida, White, Zolnikov.
Total 18

Nays: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Cuffe, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Glimm, Greef, Hagstrom, Hayman, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Miller, Monforton, Moore, Noonan, Olsen, Olszewski, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Randall, Redfield, Regier, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, Williams, Wilson, Wittich, Woods, Mr. Speaker.
Total 82

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 171 - Representative Z. Brown moved **SB 171**, second reading copy, be amended as follows:

1. Title, page 1, line 30.

Strike: "15-32-104, 15-32-106,"

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

2. Title, page 2, line 5.

Strike: "15-30-2319,"

3. Title, page 2, line 6.

Strike: "15-32-109," through "15-32-203,"

4. Page 43, line 20 through page 44, line 4.

Strike: section 43 through section 44 in their entirety

Renumber: subsequent sections

5. Page 81, line 1.

Strike: line 1

6. Page 81, line 9 through line 13.

Strike: line 9 through line 13

7. Page 97, line 17.

Strike: "49" through "81"

Insert: "47, 69, and 77 through 79"

8. Page 97, line 22.

Strike: "49"

Insert: "47"

Amendment **not** adopted as follows:

Yeas: B. Bennett, Z. Brown, Court, Curdy, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McConnell, Mehlhoff, Meyers, Moore, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Schreiner, Schwaderer, Smith, Steenberg, Swanson, Tropila, Webber, Williams, Wilson, Woods.

Total 42

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin,

Mandeville, Manzella, McCarthy, McClafferty, McKamey, Miller, Monforton, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Shaw, Staffanson, Tschida, Wagoner, Welborn, White, Wittich, Zolnikov, Mr. Speaker.

Total 58

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 171 - Representative Cook moved **SB 171** be concurred in. Motion carried as follows:

Yeas: B. Bennett, Berry, Brodehl, B. Brown, Z. Brown, Burnett, Clark, Cook, Cuffe, Custer, Doane, Dunwell, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Greef, Hagstrom, Harris, Hertz, Hollandsworth, Karjala, Kipp III, Lang, Lavin, Mandeville, McCarthy, McClafferty, McConnell, Meyers, Miller, Monforton, Moore, Mortensen, Noonan, Peppers, Perry, Pinocci, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schwaderer, Shaw, Smith, Staffanson, Tropila, Wagoner, Welborn, Williams, Zolnikov, Mr. Speaker.

Total 57

Nays: Ballance, J. Bennett, Berglee, Court, Curdy, Dudik, Eck, Ellis, Funk, Glimm, Hayman, Hess, Hill, Holmlund, Hunter, Jacobson, Jones, Kelker, Lamm, Laszloffy, Lieser, Lynch, MacDonald, Manzella, McKamey, Mehlhoff, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Person, Pierson, Pope, Schreiner, Steenberg, Swanson, Tschida, Webber, White, Wilson, Wittich, Woods.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Regier moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lieser moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Berry, Brodehl, Z. Brown, Burnett, Clark, Cook, Court, Curdy, Custer, Doane, Dudik, Dunwell, Eck, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Funk, Garner, Greef, Hagstrom, Harris, Hayman, Hertz, Hess, Hill, Hollandsworth, Holmlund, Hunter, Jacobson, Jones, Karjala, Kelker, Kipp III, Lamm, Lang, Laszloffy, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, McKamey, Mehlhoff, Meyers, Miller, Monforton, Moore, Mortensen, Noland, Noonan, Olsen, Osmundson, Pease-Lopez, Peppers, Perry, Person, Pierson, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Salomon, Schreiner, Shaw, Smith, Staffanson, Steenberg, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: B. Brown, Glimm, Lavin, Manzella, Olszewski, Schwaderer, Tschida, Wittich.

Total 8

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Excused: None.

Total 0

Absent or not voting: Cuffe, Ehli.

Total 2

THIRD READING OF BILLS

The Speaker stated that: "We're about to vote on a bill that, despite some legal opinions, I was overruled on. In my opinion, we are about to vote on a bill that requires a 2/3rds vote, but I was overruled on that. Because in my opinion this bill is granting judicial immunity. That's been ruled to require a 2/3rds vote in lesser bills, including other bills this session.

With that being said, I am duty bound as the Speaker of the House to record the vote as I was overruled by the House Rules Committee. I want it on the record and in the Journal that I believe this next vote requires a 2/3rds vote despite the body's disagreement."

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 262 concurred in as follows:

Yeas: B. Bennett, Berry, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick, Funk, Hayman, Hertz, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Schreiner, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.

Total 53

Nays: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Mandeville, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Schwaderer, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

SB 293 concurred in as follows:

Yeas: Ballance, J. Bennett, Berry, Brodehl, B. Brown, Burnett, Cuffe, Doane, Ehli, Essmann, Fiscus, Fitzpatrick, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jacobson, Jones, Kipp III, Lamm, Lang, Laszloffy, Lavin, Lynch, Mandeville, Manzella, McKamey, Mehlhoff, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pease-Lopez, Peppers, Pinocci, Randall, Redfield, Regier, Ricci, Schreiner, Schwaderer, Shaw, Smith, Staffanson, Tropila, Tschida, Wagoner, Webber, White, Wittich, Zolnikov, Mr. Speaker.
Total 60

Nays: B. Bennett, Berglee, Z. Brown, Clark, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Funk, Hayman, Hill, Hunter, Karjala, Kelker, Lieser, MacDonald, McCarthy, McClafferty, McConnell, Meyers, Miller, Noonan, Olsen, Perry, Person, Pierson, Pope, Price, Richmond, Salomon, Steenberg, Swanson, Welborn, Williams, Wilson, Woods.
Total 40

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Eck rose on a **Point of Order**. She stated that after **SB 262** received a majority vote it was important to have on the record that it did pass third reading.

Majority Leader Regier moved **SB 20** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 193** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 194** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 252** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 260** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 264** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 375** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 386** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 410** be moved from the Committee of the Whole to the Appropriations Committee.

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Majority Leader Regier moved **SB 157** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved **SB 171** be moved from the Committee of the Whole to the Appropriations Committee.

Majority Leader Regier moved the Conference Committee on **HB 2** be dissolved and that a Free Conference Committee be appointed. Motion carried. Speaker Knudsen appointed:

4/16/2015

Representative Ballance

Representative Noonan

Representative Osmundson

Representative Zolnikov moved that **SB 396** be taken from Federal Relations, Energy, and Telecommunications and brought before the Committee of the Whole, Friday, April 17, 2015.

Motion **passed** as follows:

Yeas: Ballance, B. Bennett, J. Bennett, Berglee, Brodehl, B. Brown, Z. Brown, Burnett, Court, Cuffe, Doane, Dudik, Dunwell, Eck, Ehli, Ellis, Essmann, Fiscus, Fitzpatrick, Flynn, Glimm, Hagstrom, Harris, Hess, Hill, Holmlund, Jacobson, Jones, Karjala, Kelker, Lamm, Laszloffy, Mandeville, Manzella, McCarthy, McConnell, McKamey, Meyers, Monforton, Mortensen, Noland, Olsen, Olszewski, Osmundson, Pease-Lopez, Perry, Person, Pinocci, Pope, Price, Randall, Redfield, Regier, Ricci, Richmond, Schwaderer, Shaw, Staffanson, Steenberg, Tschida, Wagoner, White, Wittich, Woods, Zolnikov, Mr. Speaker.

Total 66

Nays: Berry, Clark, Cook, Curdy, Custer, Funk, Garner, Greef, Hayman, Hertz, Hollandsworth, Hunter, Kipp III, Lang, Lavin, Lieser, Lynch, MacDonald, McClafferty, Mehlhoff, Miller, Moore, Noonan, Peppers, Pierson, Salomon, Schreiner, Smith, Swanson, Tropila, Webber, Welborn, Williams, Wilson.

Total 34

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative McCarthy moved that **SB 272** be taken from Appropriations and brought before the Committee of the Whole, Friday, April 17, 2015.

Motion **passed** as follows:

Yeas: B. Bennett, Z. Brown, Cook, Court, Curdy, Custer, Dudik, Dunwell, Eck, Ellis, Fitzpatrick,

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

Funk, Hayman, Hill, Hollandsworth, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lieser, Lynch, MacDonald, Mandeville, McCarthy, McClafferty, McConnell, Mehlhoff, Meyers, Noonan, Olsen, Pease-Lopez, Peppers, Perry, Person, Pierson, Pope, Price, Salomon, Schreiner, Schwaderer, Shaw, Smith, Steenberg, Swanson, Tropila, Webber, Welborn, Williams, Wilson, Woods.
Total 51

Nays: Ballance, J. Bennett, Berglee, Berry, Brodehl, B. Brown, Burnett, Clark, Cuffe, Doane, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Holmlund, Jones, Lamm, Lang, Laszloffy, Lavin, Manzella, McKamey, Miller, Monforton, Moore, Mortensen, Noland, Olszewski, Osmundson, Pinocci, Randall, Redfield, Regier, Ricci, Richmond, Staffanson, Tschida, Wagoner, White, Wittich, Zolnikov, Mr. Speaker.
Total 49

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Harris moved to reconsider action on **SB 411** and that **SB 411** be placed on second reading on Friday, April 17, 2015.

Motion **passed** as follows:

Yeas: Ballance, J. Bennett, Berglee, Brodehl, B. Brown, Burnett, Cook, Cuffe, Doane, Dudik, Dunwell, Eck, Ehli, Essmann, Fiscus, Flynn, Garner, Glimm, Greef, Hagstrom, Harris, Hertz, Hess, Hollandsworth, Holmlund, Jones, Lamm, Lang, Laszloffy, Mandeville, Manzella, McCarthy, McConnell, McKamey, Miller, Monforton, Mortensen, Noland, Noonan, Olsen, Olszewski, Osmundson, Perry, Pinocci, Redfield, Regier, Ricci, Richmond, Smith, Staffanson, Steenberg, Tschida, Wittich, Zolnikov, Mr. Speaker.
Total 55

Nays: B. Bennett, Berry, Z. Brown, Clark, Court, Curdy, Custer, Ellis, Fitzpatrick, Funk, Hayman, Hill, Hunter, Jacobson, Karjala, Kelker, Kipp III, Lavin, Lieser, Lynch, MacDonald, McClafferty, Mehlhoff, Meyers, Moore, Pease-Lopez, Peppers, Person, Pierson, Pope, Price, Randall, Salomon, Schreiner, Schwaderer, Shaw, Swanson, Tropila, Wagoner, Webber, Welborn, White, Williams, Wilson, Woods.
Total 45

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HOUSE JOURNAL
SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 16, 2015

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Regier moved that the House adjourn until 1:00 p.m., Friday, April 17, 2015.
Motion carried.

House adjourned at 7:54 p.m.

LINDSEY GROVOM
Chief Clerk of the House

AUSTIN KNUDSEN
Speaker of the House